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WASHOE COUNTY SHERIFF'S OFFICE

VINCENT G. SWINNEY
Sheriff

July 7, 1994

941984 FBI
BPP

911 PARR BOULEVARD
RENO, NEVADA 89512 - 1000
TELEPHONE: (702) 328-3001

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

The Honorable Reed E. Hundt
Federal Communications Commission
1919 M Street, N.W.
Washington, D.C. 20554

RE: Billed Party Preference; CC Docket No. 92-77

Dear Honorable Reed E. Hundt:

In response to the FCC review of the Inmate Phone Service Provider issue, this facility would like to provide comment.

It is the position of this office that the current phone system meets our needs and accordingly any further changes would be viewed with concern.

Our concerns are detailed in the attachment.

Sincerely,

VINCENT G. SWINNEY, SHERIFF

By James Myers
James Myers, Chief Deputy
Detention/Courts Bureau

JM/pf

Attachment: Comments of Washoe County Detention Facility,
CC Docket 92-77

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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

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In the Matter of

CC Docket 92-77

AUG 11 2 1994

Billed Party Preference
For o+InterLATA Calls

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

COMMENTS OF WASHOE COUNTY DETENTION FACILITY

This input is provided by Deputy Daryl Riersgard, the Administrative Deputy for the Washoe County Detention Facility (WCDF) in Reno, Nevada. This response is in support of the Jail Administrator's (Chief Jim Myers) position for the Detention/Courts Bureau of the Washoe County Sheriff's Office. This facility is a model Direct Supervision jail with a current average inmate population of 783 inmates. This detention facility has full American Corrections Association accreditation.

Our position is as follows: We oppose any change to the current FCC rulings that pertain to the contract inmate phone system. Our phone system for the inmates is provided by RC&A out of Clearwater Florida.

Our opposition to the proposed change is based on two points: (1) The proposed changes will make the requisite control of jail administration difficult if not impossible and (2) The loss of revenue from this phone system will adversely affect the array of inmate programs currently benefiting from this contract phone profit.

FIRST POINT: LOSS OF JAIL ADMINISTRATOR CONTROL

Due to the nature of inmates and the crimes they commit, there is a strong likelihood that

an uncontrolled phone system would allow for untold phone abuses, i.e. threats against victims and other potential predator victims, abusive contact with phone operators and possible con-games that may affect contacts and billings, continued phone related crimes such as drug sales, prostitution and stalking. Under the present system "controller" phone blocks can be quickly installed to protect anyone that requests the service. With a contract phone company, this jail has a single point of contact who can reach a trouble shooting counter part at RC&A. In the process, the jail administrator can immediately intercede to protect any outside interests.

It is simply naive to profess the theory that there should be no more fraud and abusive phone calls from inmates than from the public in general. As a case in point, this facility has identified an abuse problem where inmates have placed calls to a friend with a three-way calling; who in turn made a conference call to an unwanted third party. This trick will by-pass the normal phone block safeguards intended to protect victims from phone harassment. It is our understanding that only a few companies have the capability to protect against such inmate phone abuse. Both AT&T and our contract phone company (RC&A) have been responsive in solving this sort of problem. On behalf of the corrections officers who work daily with this inmate population, we know first hand that when you have inmates you will automatically have abuses in the phone system.

SECOND POINT: LOSS OF REVENUE FROM THE CONTRACT PHONE SYSTEM

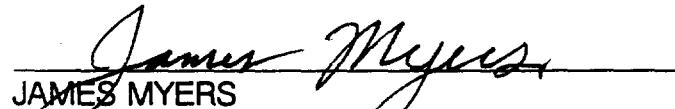
This facility makes prudent use of the phone profit share from our contract company. This is a profit from inmate phone calls which is controlled to the point that it can only be used to benefit inmate programs. These inmate programs are

crucial to the success of efforts to reduce recidivism and improve the chances of success following the period of incarceration. These programs include drug and alcohol rehabilitation, anger awareness/management, Jostin learning centers to improve basic grade school and high school skill levels and religious services. If these same programs lost this funding sources, then they would die as a result of no funding, or the jail budget would have to be shuffled so that other jail services would have to be curtailed. In response to the economic times, this facility could only regain 1% of the current inmate programs with reshuffled budget resources. This reality would negatively impact our recent improvement in inmate programs. As an example, this jail has a very active educational program to improve the real world skills of select inmates. This specific program includes the largest GED testing site in Northern Nevada. The loss of current revenue sources may well kill many if not most of these beneficial programs.

If there are facilities that appear to be benefiting from unusually high profit margins, then this is a valid FCC concern. These exceptions could be brought into line to insure that excessive profits are not realized. In the case of this facility the 15 minute phone toll is less than alternative billing options (i.e. the same phone call being made from a pay phone system).

Specifically, The Public Service Commission of Nevada made a ruling (Docket No. 92-0014) on May 31, 1994 which stated " a confinement provider shall not charge any rate that exceeds the rate charged for the same type of service provided by the local exchange company". This facility believes that safeguards are already in place to protect against such abuses.

With inmate populations growing across the country and county and municipal budgets pressed to the limit, the prospects are poor that other funding sources will be available to pick up the slack for the inmate programs.


JAMES MYERS
DETENTION/COURTS BUREAU CHIEF
WASHOE COUNTY DETENTION FACILITY
WASHOE COUNTY SHERIFF'S OFFICE
911 PARR BLVD
RENO, NV 89512